

HAMID R. RAFATJOO (SBN 181564)

hrafatjoo@venable.com

KEITH C. OWENS (SBN 184841)

kowens@venable.com

JENNIFER L. NASSIRI (SBN 209796)

jnassiri@venable.com

VENABLE LLP

2049 Century Park East, Suite 2100

Los Angeles, CA 90067

Telephone: (310) 229-9900

Facsimile: (310) 229-9901

Attorneys for U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., as Trustee, as successor by merger to LaSalle Bank National Association, as Trustee, for the registered holders of Greenwich Capital Commercial Funding Corp., Commercial Mortgage Trust 2005-GG3, Commercial Mortgage Pass Through Certificates, Series 2005-GG3, by and through, CWCAPITAL Asset Management LLC, solely in its capacity as Special Servicer

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE NINTH CIRCUIT**

In re:

BAP Nos. NV-12-1456 and NV-12-1474

**THE VILLAGE AT LAKERIDGE, LLC aka
MAGNOLIA VILLAGE, LLC,**

Bankruptcy Case No. 11-51994-BTB

Chapter 11

Appeal Reference Nos. 12-09 and 12-10

**THE VILLAGE AT LAKERIDGE, LLC aka
MAGNOLIA VILLAGE, LLC.**

**CERTIFICATE OF SERVICE RE U.S.
BANK'S OPPOSITION TO
EMERGENCY MOTION FOR STAY
PENDING APPEAL**

Appellant / Cross-Appellee.

VS.

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO BANK OF AMERICA, N.A., AS TRUSTEE, AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR THE REGISTERED HOLDERS OF GREENWICH CAPITAL COMMERCIAL FUNDING CORP., COMMERCIAL MORTGAGE TRUST 2005-GG3, COMMERCIAL MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-GG3, BY AND THROUGH, CWCAPITAL ASSET MANAGEMENT LLC, SOLELY IN ITS CAPACITY AS SPECIAL SERVICER.

Appellee / Cross-Appellant.

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO BANK OF AMERICA, N.A., AS TRUSTEE, AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR THE REGISTERED HOLDERS OF GREENWICH CAPITAL COMMERCIAL FUNDING CORP., COMMERCIAL MORTGAGE TRUST 2005-GG3, COMMERCIAL MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-GG3, BY AND THROUGH, CWCAPITAL ASSET MANAGEMENT LLC, SOLELY IN ITS CAPACITY AS SPECIAL SERVICER,

Cross-Appellant.

VS.

THE VILLAGE AT LAKERIDGE, LLC aka
MAGNOLIA VILLAGE, LLC; AND
ROBERT ALAN RABKIN, MD,

Cross-Appellees

1 **CERTIFICATE OF SERVICE**

2 I certify that on October 17, 2012, I electronically filed the foregoing documents with the Clerk of
3 the Court for the Bankruptcy Appellate Panel for the Ninth Circuit by using the CM/ECF system.

4 **U.S. BANK'S OPPOSITION TO EMERGENCY MOTION FOR STAY PENDING
APPEAL**

5 **DECLARATION OF JASON R. BUCKHOLTZ IN SUPPORT OF U.S. BANK'S
OPPOSITION TO EMERGENCY MOTION FOR STAY PENDING APPEAL**

7 **DECLARATION OF KEITH C. OWENS IN SUPPORT OF U.S. BANK'S OPPOSITION
TO EMERGENCY MOTION FOR STAY PENDING APPEAL**

9 **U.S. BANK'S SUPPLEMENTAL APPENDIX TO OPPOSITION TO EMERGENCY
MOTION FOR STAY PENDING APPEAL AND REQUEST FOR JUDICIAL NOTICE**

11 **EVIDENTIARY OBJECTIONS TO THE DECLARATION OF KATHIE BARTLETT IN
SUPPORT OF EMERGENCY MOTION FOR STAY PENDING APPEAL**

12 I certify that all parties of record to this appeal who either are registered CM/ECF users, or who
13 have registered for electronic notice, or have consented in writing to electronic service, and that
service will be accomplished through the CM/ECF system.

14 **BAP SERVICE LIST FOR
*IN RE THE VILLAGE AT LAKERIDGE***

16 Counsel for Appellee / Cross-Appellant 17 Louis M. Bubala III 18 ARMSTRONG TEASDALE LLP 19 Suite 950 20 50 W. Liberty St. 21 Reno, NV 89501 22 Email: lbubala@armstrongteasdale.com	12-1456 12-1474	Email	Active
20 Office of the U.S. Trustee 21 William B Cossitt 22 Office of The United States Trustee 23 C. Clifton Young Federal Building 24 Suite 3009 25 300 Booth Street 26 Reno, NV 89509-0000 27 Email: bill.cossitt@usdoj.gov	12-1456 12-1474	Email	Active
25 Counsel for Cross-Appellee Robert Alan Rabkin 26 Jeffrey L. Hartman 27 HARTMAN & HARTMAN 28 Suite B 29 510 West Plumb Lane 30 Reno, NV 89509-0000 31 Email: notices@bankruptcreno.com	12-1456 12-1474	Email	Active

1	<u>Counsel for Appellee / Cross-Appellant</u> Keith Charles Owens Venable LLP 2049 Century Park East Ste 2100 Los Angeles, CA 90067 Email: kowens@venable.com	12-1456 12-1474	Email	Active
5	<u>Counsel for Appellee / Cross-Appellant</u> Hamid R. Rafatjoo Venable LLP Suite 2100 2049 Century Park East Los Angeles, CA 90067-4100 Email: hrafatjoo@venable.com	12-1456 12-1474	Email	Active
9	<u>Counsel for Appellant / Cross-Appellee</u> Alan R. Smith Law Offices of Alan R. Smith 505 Ridge Street Reno, NV 89501-0000 Email: mail@asmithlaw.com	12-1456 12-1474	Email	Active
13	<u>Office of the U.S. Trustee</u> Nicholas Strozza Office of The United States Trustee C. Clifton Young Federal Building Suite 3009 300 Booth Street Reno, NV 89509-0000 Email: nick.strozza@usdoj.gov	12-1456 12-1474	Email	Active

17 **CAUTION:** If the word **Active** is in the **ECF Filing Status** column, then electronic filing will
 18 constitute service to the party.

19 I declare under penalty of perjury that the foregoing is true and correct.

20 DATED this 17th day of October, 2012.

22 _____
 23 Bambi Clark
 24 Name

22 _____
 23 /s/ Bambi Clark
 24 Signature